

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) Cr. No. 3:05-CR-156-WHA
)
 JIMMY PETE MCKENDREE)

UNITED STATES' MOTION FOR DOWNWARD DEPARTURE FOR
ACCEPTANCE OF RESPONSIBILITY

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and respectfully moves this Court to reduce by one (1) level Defendant's offense level based on his acceptance of responsibility. As grounds for this Motion, the United States avers as follows:

1. On June 29, 2005, the United States filed a three-count indictment against the Defendant.
2. Defendant notified the United States of his intent to plead guilty to the indictment sufficiently early to permit the government to avoid preparing for trial and to allocate its resources efficiently. Defendant pled guilty on March 20, 2006.
3. Therefore, pursuant to United States Sentencing Guidelines § 3E1.1(b), as amended, the United States makes this formal motion for a one-level reduction in Defendant's offense level for acceptance of responsibility such that the total reduction in offense level for Defendant's acceptance of responsibility shall be three (3) levels.

WHEREFORE, the United States respectfully requests that this Motion be GRANTED and that the Court reduce Defendant's offense level by one level for his acceptance of responsibility.

Respectfully submitted this the 30th day of May, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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THE DISTRICT COURT OF THE UNITED STATES
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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
Richard Waldrop.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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